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 Attorneys for Plaintiff
 6 MAJOR FARMS, INC.

7
 8 **IN THE UNITED STATES DISTRICT COURT**

9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

10 HIGASHI FARMS, INC., a corporation; K&S)
 FARMS, LLC, a limited liability company; M.)
 11 NISHIMORI FARMS, INC., a corporation;)
 MANN PACKING CO., INC., a corporation;)
 12 MARTIN JEFFERSON & SONS, a)
 partnership; MERRILL FARMS, LLC, a)
 13 limited liability company; NEW STAR)
 FRESH FOODS, LLC, a limited liability)
 14 company; TAYLOR FARMS CALIFORNIA,)
 INC., a corporation;)

15 Plaintiffs,

16 v.

17 BANK OF THE WEST, a California banking)
 18 corporation, as Administrative Agent for)
 itself, AGSTAR FINANCIAL SERVICES,)
 19 PCA/FLCA, and FCS FINANCIAL, PCA;)
 STEVE FRANSON, as Receiver for SALLYER)
 20 AMERICAN FRESH FOODS, a California)
 Corporation,)

21 Defendants.
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23 AND ALL RELATED ACTIONS.
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Case Nos.: 09-CV-04983-JF
 09-CV-04985-JF
 09-CV-04207-JF

**PLAINTIFF MAJOR FARMS, INC.'S NOTICE
 OF WITHDRAWAL OF PACA TRUST CLAIM
 AND AGREED DISMISSAL OF COMPLAINT
 AND REQUEST FOR DISMISSAL WITH
 PREJUDICE AS TO DEFENDANTS BANK OF
 THE WEST AND RECEIVER STEVE
 FRANSON ONLY AND ~~PROPOSED~~ ORDER
 REGARDING DISMISSAL**

Pursuant to the Stipulation to Resolve and Release Claims of Major Farms, Inc. and Dismiss Pending complaint/Complaint in Intervention and/or Withdrawal of Claim dated May 20, 2011, concurrently filed herewith as ECF No. 83, Plaintiff Major Farms, Inc. hereby gives notice that it is withdrawing its PACA Trust Claim, as to Defendants Bank of the West and Receiver Steven Franson *only*, and it respectfully requests that this Court dismiss Major Farms, Inc.'s Complaint as to Defendants Bank of the West and Receiver Steve Franson *only*.

Dated: June 22, 2011


ANASTASSIOU & ASSOCIATES

By: /s/ Effie F. Anastassiou
Effie F. Anastassiou, Esq.
Attorneys for Plaintiff,
Major Farms, Inc.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that Major Farms, Inc.'s Complaint is dismissed as to Defendants Bank of the West and Receiver Steven Franson *only*.

SO ORDERED.

Dated: 7/13/11


United States District Court Judge Jeremy Fogel

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